

FILED
IN CLERKS OFFICE

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

2005 FEB 15 P 12:43
U.S. DISTRICT COURT
DISTRICT OF MASS

* * * * *
NORTH AMERICAN INDUSTRIES, INC.

Plaintiff

vs.

CALIBER ONE INDEMNITY COMPANY
Defendant

* * * * *

05-10333 MLW

* Civil Action No.

* JANUARY , 2005

**AFFIDAVIT OF ATTORNEY KEITH R. AINSWORTH
IN SUPPORT OF APPLICATION
FOR APPEARANCE PRO HAC VICE**

I, Keith R. Ainsworth, being duly sworn, deposes and says:

1. I am a member of the law firm of Evans, Feldman & Boyer, LLC located at 261 Bradley Street, New Haven, Connecticut 06507-1694 and am the litigation counsel for the office. I am a member in good standing of the Bars of the state of Connecticut and the federal District of Connecticut and the United States Supreme Court and neither I nor any member of my firm has been disciplined by any other court or denied admission thereto.

2. I am the responsible litigation attorney for litigation in which my law firm is representing North American Industries, Inc., in a dispute involving a crane manufacturing design claim which is the subject of the above-captioned declaratory judgment action seeking insurance coverage from

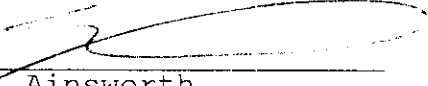
Caliber One Indemnity Company, the Defendant. That litigation is currently pending, and has been since June 2004, in the Connecticut Superior Court in the Judicial District of New Haven at New Haven as docket #04-0490242-S, captioned L.G.DeFelice/FKCI, J.V., et al v. North American Industries, Inc. During the course of this representation, I have been responsible for providing advice to these clients and I have acquired a degree of specialized knowledge and familiarity with this particular complex claim as it relates to my client in this matter.

3. North American Industries, Inc. has retained the firm of Cohn & Dussi, to serve as Massachusetts counsel in the above-captioned matter. The client has requested that the undersigned remain involved in this matter due to my particular knowledge of this matter and to avoid a duplication of effort and a clarity of presentation.

4. Being admitted pro hac vice would enable the undersigned to effectively assist attorneys at the firm of Cohn & Dussi in representing North American Industries, Inc. in the above-referenced matter and would be serving the clients' best interests in that my client's resources would not be spent duplicating knowledge already developed in prior matters.

5. In accordance with the local rules of the District of Massachusetts, I have acquired, reviewed and consent to be bound by the Rules for the District of Massachusetts.

Sworn to under the pains and penalties of perjury this 11th
day of February, 2005.



Keith R. Ainsworth

As subscribed and sworn to before me in New Haven,
Connecticut, on Feb 10, five, 2005.

Notary Public
My Commission Expires _____

5/31/2007